

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

UNITED STATES OF AMERICA,

Respondent,

2014 NOV -3 P 12:12
No. 12-CR-61-01-PB

vs.

(Judge Barbadoro)

TOSATTI PADMORE,

Movant.

MOVANT'S APPLICATION FOR
A SENTENCE REDUCTION PURSUANT
TO TITLE 18 U.S.C. § 3582(c)(2)

COMES NOW, Movant Tosatti Padmore, pro se, and respectfully moving this Honorable Court for a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2). Movant shows the Court:

NATURE OF PROCEEDING

This motion is brought pursuant to 18 U.S.C. § 3582(c)(2), for a reduction of sentence upon the grounds of an amendment to the United States Sentencing Guidelines, given retroactive effect, which if applied in Movant's case, would result in a substantially lower term of imprisonment.

STATEMENT OF CASE

Movant plead guilty to possession of a firearm in furtherance of a drug trafficking offense and to violating the Controlled Substance Act (CSA). On June 19 2013, Movant was sentenced to a term of 97 months imprisonment, to be followed by 5 years supervised release, pursuant to the guidelines at that time.

Subsequently, and on November 1, 2014, Amendment 782 to the USSG was enacted, and given retroactive effect. The practical effect thereof is to cause the Movant's adjusted offense level to be reduced by two-(2) levels.

Resultingly, Movant's sentence exceeds that under newly derived adjusted offense level.

DISCUSSION

Owing to the downward modification of the offense drug levels found at USSG § 2D1, caused by Amendment 782, Movant's sentence should be reduced.

Moreover, this Court is directed by USSG 1B1.10 to take notice of, and weigh Movant's postsentence efforts and accomplishments at rehabilitative programs. [See Attached]

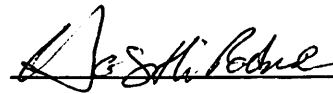
Furthermore, inasmuch as the sentence guidelines are advisory, and such a small amount of drugs were involved in this case, a sentence at the low end of the guidelines is urged and appropriate herein.

CONCLUSION

WHEREFORE, Movant Tosatti Padmore prays that this Honorable Court GRANT this motion, together with such other and further relief as the Court deems just and proper.

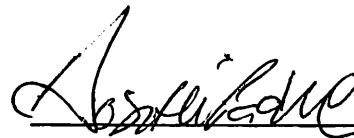
Signed under the penalty of perjury this 28 day of October, 2014.

Respectfully submitted:


Tosatti Padmore
12646-049
Allenwood FCI
PO Box 2000
White Deer, PA 17887

CERTIFICATE OF SERVICE

I certify that I mailed a true and exact copy of the application for a sentence reduction pursuant to 18 U.S.C. §3582(c)(2) to the US Attorney by placing same into the United States Mail at Allenwood FCI.


Tosatti Padmore